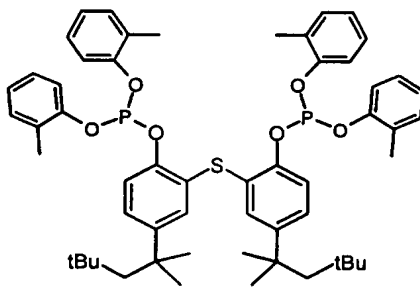


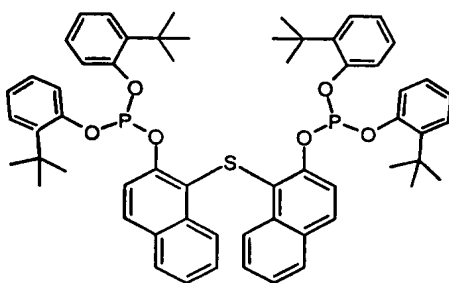
## REMARKS

The Office Action mailed June 12, 2007 sets forth a requirement for restriction and election under PCT Rule 13.1 and 13.2 for the pending Claims 25 -48. More specifically, the Action states that the groups of inventions “are not so linked as to form a single general inventive concept under PCT Rule 13.1,” purportedly due to numerous variable groups, and their widely divergent meanings, on the compounds and methods of the invention, and further making a precise listing of the inventive groups not possible. By way of example, the Examiner delineates eight (8) groups of inventions as follows:

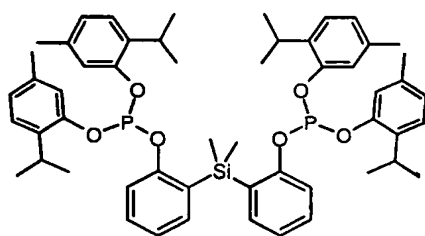
- I. Claims 25-46 (in part), drawn to a process for hydrocyanating a hydrocarbon compound using a compound of Formula I where the compound is



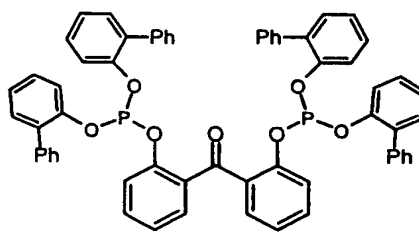
- II. Claims 25-46 (in part), drawn to a process for hydrocyanating a hydrocarbon compound using a compound of Formula I where the compound is



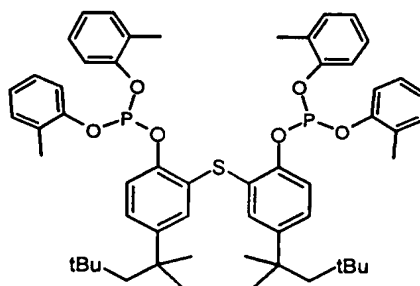
- III. Claims 25-46 (in part), drawn to a process for hydrocyanating a hydrocarbon compound using a compound of Formula I where the compound is the species



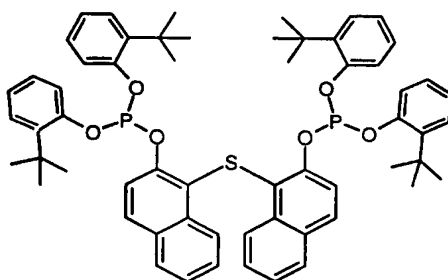
- IV. Claims 25-46 (in part), drawn to a process for hydrocyanating a hydrocarbon compound using a compound of Formula I where the compound is



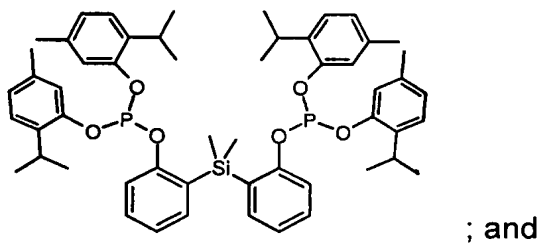
- V. Claims 47-48 (in part), drawn to compounds of Formula I where the compound is



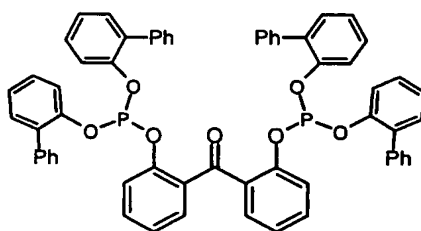
- VI. Claims 47-48 (in part), drawn to compounds of Formula I where the compound is



- VII. Claims 47-48 (in part), drawn to compounds of Formula I where the compound is the species



- VIII. Claims 47-48 (in part), drawn to compounds of Formula I where the compound is the species



The Action states further that the listing of groups is not exhaustive but that Applicant is required to elect a single invention to which the claims will be restricted. Stated further is that Applicant may choose from one of the enumerated groups or may identify another specific embodiment not listed above and the Examiner will endeavor to group the identified embodiment.

Lastly, the Office Action states that due to the variables and their meaning in the "core substituents" in Formula I, namely  $L_1$ ,  $[L_2]_n$ ,  $R_5$ , and  $R_6$ , there is no discernable special technical feature of the inventions as a whole, and therefore unity of invention is lacking. Indication is made, however, "the method of preparation claims will be examined with the elected invention commensurate in scope therewith." (Office Action, page 5).

In response to the restriction and election requirements, Applicants elect, with traverse, the Group I invention, drawn to a process for hydrocyanating a hydrocarbon compound using a compound of Formula I where the compound is the first compound species shown in Claim 27. Claims 25-46 read on Applicants' election. Claims 47-48 are withdrawn from consideration as being drawn to non-elected inventions.

Applicants traverse on the grounds that the Office Action sets forth an unduly restrictive division of the claimed subject matter. For example, the exemplified

groupings Groups I and II, could be searched and considered together without burden to the Examiner. The same position is made for the compounds of Groups V and VI. Although only a few species of organic ligands are exemplified in the Office Action, Applicants respectfully submit that there is a larger sub-genus of organic ligands of the Formula I that could be searched and considered with the present election of Group I; namely, all such Formula I compounds wherein T and T<sub>1</sub> are a phosphorus atom, L<sub>1</sub> is a S atom or a SO<sub>2</sub> group, n is zero, R<sub>5</sub> and R<sub>6</sub> are fused or unfused aryl or cycloaliphatic rings that are optionally substituted. Noting the instance of heterocyclic rings in groups R<sub>1</sub>, R<sub>2</sub>, R<sub>3</sub>, and R<sub>4</sub> as a possible exception, it is not seen to be a burden to consider all other such R<sub>1</sub>-R<sub>4</sub> groups in combination with the narrower meanings of T, T<sub>1</sub>, L<sub>1</sub>, n, R<sub>5</sub>, and R<sub>6</sub> proffered above by Applicants as a searchable sub-genus.

Applicants traverse further on the grounds that two exemplified species that could easily be searched together, have been identified as separate inventions, e.g., Group I and Group II, and, correspondingly, Group V and Group VI. Moreover, the Office Action has not shown that a classification search burden, as demonstrated by different classification, would result from, e.g., considering both the ligand species that have been separated into Group I and Group II or Group V and Group VI. Accordingly, Applicants request reconsideration of the stated restriction, election requirement and request further that a sub-genus of reasonable scope that encompasses the Group I election be considered during the first examination.

For at least the above reasons, and in order to avoid unnecessary delay and expense to Applicant, and duplicative examination by the Patent Office, it is

respectfully requested that the Restriction Requirement be reconsidered and withdrawn.

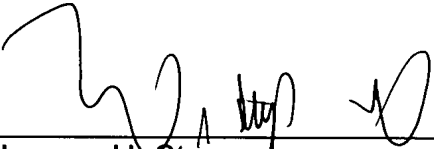
If there are any questions concerning this response or the application in general, Applicant invites the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: October 12, 2007

By:

  
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Norman H. Stepno  
Registration No. 22716

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620